Secrt. II-27—20,006—16-11-40.

Revenue (1941) Department

No SERIES.

G.O. No. 2734

Dated 1—12—1941

[Despatch Abstract.]

Excise - Excise Advisory Committee - Conndapur - (South Kanara) Mrs.Sushila Bai - Removal from membership consequent on offering Satyagraha - [illegible] - Board's report - Recorded.

GOVERNMENT OF MADRAS. R 2485-D

Received.....1941. Registered.....23/10.1941.

Abstract.

Political agitation - Satyagraha movement - Removal of persons who offer satyagraha from honorary appointments - Issue of general orders considered unnecessary - Removal of Mrs. Sushila Bai from post of non-official visitor to sub-jail - Considered unnecessary.

Home Department.

G.O.No. Ms.4608 Dated 20th October 1941.

Read the following:-

From the District Magistrate, South Kanara,
No. C1.No.1210/41 dated 20-6-1941.

O R D E R

The District Magistrate of South Kanara is informed that the Government have not issued general orders on the question of the removal of persons who offer satyagraha from honorary appointments, and that specific cases will be decided on their individual merits.

2. With reference to the District Magistrate's enquiry whether Mrs. H.Sushila Bai, who was convicted under the Defence of India Rules, should be removed from the appointment of non-official visitor to the sub-jail at Coondapoor, he is informed that her name should be removed from the list of visitors.

3. Orders regarding the removal of Mrs. Sushila Bai from the other honorary appointments held by her will be issued separately in the Education & Public Health and Revenue Departments.

(By Order of His Excellency the Governor)

A.F.MacEwen,
Secretary to Government.

To the District Magistrate, South Kanara.
" Public Department.
" Education & Public Health Department } with extracts of C.F.
" Revenue Department. } and notes sent separately.

Copy to the Inspector General of Rak Prisons.

/True Copy/
Forwarded.
(By Order)

Superintendent.

3

Copy of letter from the District Magistrate c. Kanara, to the Secretary to Government, Home Departm. Ref. C.1-1210-M-41, dated 20th June 1941. -

Political Agitation - offering of satyagraha by individuals holding honorary appointments - removal of - Instructions - solicited.

Mrs. H. Sushila Bai, Coondapoor, who is a non-official visitor of the sub-jail, Coondapoor, a member of the Taluk Educational Committee and a member of the Excise Advisory Committee of Coondapoor division offered satyagraha in March and was convicted and sentenced to simple imprisonment for 6 weeks under the Defence of India Rules. Her husband, H. Sarvothama Poi who is a licensee under the Arms Act also offered satyagraha and was convicted. The former has already been released on the expiry of her sentence. The question has arisen whether the former should be removed from the honorary posts referred to and the Arms Licence held by the latter should be cancelled. This raises the general question also of action in regard to other such honorary posts.

2. I request that the Government may be pleased to issue instructions as to whether action need be taken for removal of persons who offer satyagraha from posts like non-official visitors of subjails, members of Taluk Educational Committees, Excise Advisory Committees and Road Traffic Board and whether action need be taken to cancel the licences granted under the Arms and Explosives Acts held by such persons. I request instructions also on the point, whether, if such action is considered necessary, it need be ~~xxxxx~~ taken also in cases where the persons concerned have been ignored and in cases where persons who had been convicted have returned after serving the terms of imprisonment.

(True copy)

Issued with Govt Lr dtd 28/10

19
28/10

Rev Depn

Memo No 8485 A/41-1 dt 28/10/41

Excise – Excise Advisory Committee Coondapur – Mrs Sushila Bai – Removal from membership – Consequent on offering Satyagraha.

Ref G.O ms 4608 Home dt 20.10.1941.

A copy of the G.O quoted above together with a copy of the District Magistrate's letter read therein, is forwarded to the Board of Rev.

2. The Board is requested to report (1) the category of the membership of Mrs Sushila Bai in the Excise Advisory Committee, Coondapur and (2) whether or not she is liable to be removed under Rule 2 of the Rules for the Excise Advisory Committees.

Encl 39-Govt Cir dtd 6/9/41 of Rev Dept

Encl 1 & 3 ref

Encl G.O and letter (Encl 1-3 ref)

27/10

28/10

30/10

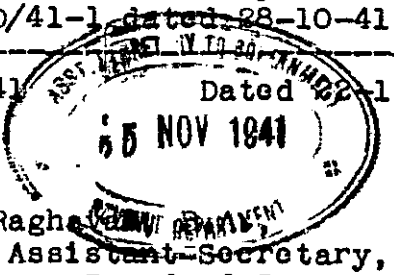
Rv 2780D

Board of Revenue (Excise) Department.

Subject. ...se Advisory Committee - Coondapoor - South ...a district - Mrs. Sushila Bai - Removal fro membership consequent on offering Satyagraha - N possible - Report - Submitted.

Read.- the Government Revenue Department Memorandum No.2485-D/41-1, dated 28-10-41.

D. No. 2485 Abk./41 Dated 22-11-41.



From

Sri Rao Sahib C. Raghavan,
Assistant Secretary,
Board of Revenue (Excise).

E. M. Gawne Esq., I.C.S.,
Commissioner of Excise, Board of Revenue (Sep.Rev.)
Commissioner of Commercial Taxes.

Resolution.

Mrs. Sushila Bai is a member of the Excise Advisory Committee, Coondapoor, appointed under Rule 2(e) of the Rule for Excise Advisory Committees. She is not therefore liable to be removed under Rule 2 of the Excise Advisory Committee Rules.

(True extract)

Assistant Secretary.

To the Secretary to the Government, Revenue Department.

B.M.N. 24/11

9/

Home Department (C).

3 OCT 1941

U.O. Note No. 23864 C-3, dated 20th October 1941.

Political agitation - Persons who offer satyagraha - Removal from honorary appointments.

Copies of the letter from the District Magistrate of South Kanara, CI No. 1210-M-41, dated 20th June 1941, together with relevant extracts of notes, may be sent to Home (G) section, Education and Public Health and Revenue departments for necessary action.

p 3 cf- p 3-4 infra

A.R. MacEwen,
Secretary to Government.

To the Education and Public Health department.) with enclosures.
" Revenue department ✓)
" Home Department (G section))

F O R W A R D E D.
(By order)

Superintendent.

Extract of notes from file (C. No. 183320/41, relating to "Jails - sub-Jail, Coondapur, - non-offic visitor - removal of".

Home Dept. (C).

The D.M., South Kanara, reports that Mrs. H. Sushila Bai, who is a non-official visitor of the sub-Jail, Coondapur, a member of the Taluk Educational Committee, and a member of the Excise Advisory Committee, offered satyagraha and was convicted and sentence to simple imprisonment for 6 weeks under the Defence of India Rules. He enquires -

(1) whether Mrs. Sushila Bai may be removed from the honorary posts referred to above;

(2) whether the licence under the Arms Act granted to her husband, who also offere satyagraha and was convicted, may be cancelled;

(3) whether any action need be taken generall for the removal of persons who offered satyagraha from posts like non-official visitors to sub-jails, members of Taluk Educational Committees, Excise Advisory Committees and Road Traffic Boards and for the cancellation of licences grante to such persons under the Arms and Explosives Acts; and, if so,

(4) whether action need be taken in cases where the persons concerned have been ignored and where persons who had been convicted have returned after serving the terms of imprisonment.

This department is concerned only with the removal of Mrs. H. Sushila Bai from her present appointment of non-official visitor to the sub-Jail, Coondapur, and of item (2) above. Action in regard to the other honorary posts referred to in items (1) and (3)* above will have to be taken in the E. & P. H. and Revenue departments. The D.M. also refers to honorary posts other than those specified in his letter. Copies of this note, together with copies of the D.M's. letter, may be sent to other sections of this department and to all other departments of the Secretariat except Fin. and Legal for necessary

*except removal of persons who offer satyagraha from the Road Traffic Boards and cancellation of licences granted underthe Arms and Explosives Acts.

P.M.J.

P.M.J./8.7.41

Public Department.

In view of the course which the present C.D. movement has taken it hardly seems necessary to take up the question of a general removal of participants from honorary appointments. Specific cases may, where necessary, be decided on their individual merits.

I agree.
S.V.R.
14.8.

A.H.S.
14.8.

* * *

Home Department.

* * *

I must bow to Public's view, but at the same time, over appointments that are not under any statute or rule, I do not think that, even within this department, there is uniformity in treatment.(In a recent statutory case, of Dt. Bd. Pres. being on Road Traffic Boards, Adv.2 has been against statutory action to remove them when they have been convicted, but I am not thinking of appointments that are so tied).

A.R.M./23.8.41

Public (Tl.) Dept.

* *

This is a file arising in the Home Dept. and it is for that Dept. to tell the Collector that the Govt. have issued no general orders and that individual cases have to be decided on their merits.

S.V.R./4.9.41.

7/13

Rev Depts

L to A. Secy.

Please see the extracts of Rules on pp 3-4 ante and the copy of the Home Deptt Lr at p 1 cf. This Depts has to consider the question of removing Mrs H. Rushila Bai from the membership of the Excise Advisory Committee of Coondapur division, S. Kanara Dt. The Govt have not issued any general orders on the question of the removal of persons who often Sahyogaka from honorary appointments. ~~and~~ Cases have to be decided on their individual merits.

Rule 12 or p 3 ante

para 1 on p 1 cf

2. The Rules regarding the Constitution and working of the Excise Advisory Committees are contained at pp 39-43 of the Compilation slip no 10 and at p 97 of the Excise Manual Vol I Pt. There is no information here whether the membership of Mrs Rushila Bai can be terminated under any of the provisions in the Excise Advisory Committee rules. The Revenue Dept of Govt may be consulted. ~~A draft Memo is sent for approval~~

Pole no 31

25/X/41

As the category of the Lady's membership of the Bd. and whether or not she is liable to be removed under Rule 2. Re-draft

Secy

27.10.

Revised draft Memo is submitted for approval.

27/XII
22/10

To the DD of Rev Memo no 2485 D/Rel-I) 28.10.44 p 5-6

From the DD of Rev D no 2485 D/Rel/41-I) 22.11.44. p 7 cf.

Lo A.S

Please see the note on pp 5-6 above, the Memo to the Board (on pp 5 cf and the Board's reply at p 7 cf. It would be seen from the Board's reply that Mrs Surbala Rai cannot be removed from the membership of the Committee as she is a member elected by the District Board and who therefore demits office only on ceasing to be a DB Board member. No further action seems to be called for. The papers may be recorded. A draft order is submitted for approval.

p 7 cf

Vide Rule 2(e) of the Ex Admn Committees Rules at p 39 of the Compilation Slip at p 97 of the Manual Vol I (Rev)

26/11/44
22/11

28/XII

Drawn 15
11/12

C.F. 16.

Rev Depr

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT :—

READ AGAIN _____, dated _____ 19____

" " Govt 4608 Home " 20. 10. 1941 plcf

READ *ALSO* :—

No. 2485-D/41. From the Board of Rev. Kenya No. 2485-D/41, dated 28.10.1941 p5cf

" _____ Secretariat Board of Rev. D "2485-Adm/41" 22.11.1941 p7cf

" _____ " _____ " _____ " _____ 19____

Order ~~Resolution~~ Ms. Rout. No. 2734, dated 1—12—41 19____

Recorded.

25/11/41

27/11

Board of Rev

D Magistrate S. Kavirondo

with Copy of Ms 5 & 7 cf.

Dpd. by Van Cleef Signed

Dispatched 21/12

Date 194